

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

FILED

NOV 04 2014

Clerk, U.S. District Court
District Of Montana
Missoula

JEREMY RASKIEWICZ,

Plaintiff,

vs.

UNITED STATES,

Defendant.

CV 14-258-M-DLC-JCL

ORDER

United States Magistrate Judge Jeremiah Lynch entered his findings and recommendation in this case on October 23, 2014, recommending denial of Plaintiff's motion to proceed in forma pauperis and dismissal of Plaintiff's complaint. Judge Lynch recommended denial because: (a) Plaintiff's application was insufficient due to his failure to file a copy of his inmate trust account statement, pursuant to 28 U.S.C. § 1915(a)(2); and (b) Plaintiff's allegations were nonsensical and frivolous. For the reasons stated below, the Court adopts Judge Lynch's Findings and Recommendation in full.

"A district court may deny leave to proceed in forma pauperis at the outset if it appears from the face of the proposed complaint that the action is frivolous or without merit." *Tripathi v. First Natl. Bank & Trust*, 821 F.2d 1368, 1370 (9th Cir.

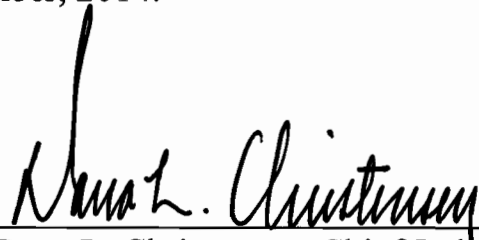
1987). Raskiewicz's "Petition for Redress" (Doc. 1) seeks release from all detainment, full access to his Army pension, social security full retirement benefits, bonus pay from the United States Army, a contract with the Central Intelligence Agency, his Army Veteran identification, full contract benefits, spy status, and exemption from prosecution. Judge Lynch found no statutory or constitutional authority for granting Plaintiff the relief he requested. Judge Lynch also found, and this Court agrees, that Raskiewicz has a history of filing repetitive, frivolous lawsuits, that it appears from the face of the complaint that this action simply adds to that history, and that, consequently, Raskiewicz should not be afforded an opportunity to pay the filing fee in this case.

Raskiewicz is not entitled to any specific time period within which to file objections to Judge Lynch's findings and recommendation. *See Minetti v. Port of Seattle*, 152 F.3d 1113, 1114 (9th Cir. 1998) (per curiam).

Accordingly, IT IS ORDERED that Judge Lynch's findings and recommendation (Doc. 3) are ADOPTED IN FULL. Raskiewicz's motion to proceed in forma pauperis (Doc. 2) is DENIED.

IT IS FURTHER ORDERED that the Clerk of Court shall enter judgment in favor of Defendant and against Plaintiff. This case is CLOSED.

DATED this 4th day of November, 2014.

A handwritten signature in black ink, reading "Dana L. Christensen". The signature is written in a cursive style with a large, prominent initial "D".

Dana L. Christensen, Chief Judge
United States District Court